

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1487 be amended to read as follows:

- 1 Page 2, line 42, delete "**The term does**".
- 2 Page 3, delete lines 1 through 8.
- 3 Page 3, line 13, after "**conditions**" insert ", as designated by the
- 4 **department**".
- 5 Page 3, line 19, after "**partnerships**" insert "**limited**
- 6 **partnerships, foreign limited partnerships, limited liability**
- 7 **partnerships, foreign limited liability partnerships,**".
- 8 Page 3, line 20, after "**companies,**" insert "**foreign limited**
- 9 **liability companies, professional corporations, foreign**
- 10 **corporations, nonprofit corporations or associations, charitable**
- 11 **corporations,**".
- 12 Page 3, line 21, after "**cooperatives,**" insert "**broker-dealers,**
- 13 **franchisees, loan brokers, lending institutions, social clubs,**
- 14 **educational institutions, cemetery associations, churches,**".
- 15 Page 3, line 22, after "**persons,**" delete "**and**".
- 16 Page 3, line 23, after "**state**" insert ", and all wage-payers doing
- 17 **business within the state**".
- 18 Page 3, line 27, after "**tips,**" insert "**goods, services,**".
- 19 Page 3, delete line 42.
- 20 Page 4, delete lines 1 through 7.
- 21 Page 4, line 8, delete "**11**" and insert "**10**".
- 22 Page 4, line 9, delete "**of section 10**".
- 23 Page 4, line 10, delete "**section 10 of**".
- 24 Page 4, line 11, delete "**12**" and insert "**11**".
- 25 Page 4, line 15, delete "**13**" and insert "**12**".
- 26 Page 4, line 34, delete "**14**" and insert "**13**".

1 Page 5, line 1, delete "13" and insert "12".
2 Page 5, line 2, after "department" insert ", not less than
3 quarterly".
4 Page 5, line 3, delete "15" and insert "14".
5 Page 5, line 6, delete "16" and insert "15".
6 Page 5, line 24, delete "17" and insert "16".
7 Page 5, line 26, delete "11, 12, or 16" and insert "10, 11 or 15".
8 Page 5, line 29, delete "18" and insert "17".
9 Page 5, line 30, delete "14(a) and 14(b)" and insert "13(a) and
10 13(b)".
11 Page 5, line 35, delete "14(c)" and insert "13(c)".
12 Page 5, line 37, delete "an employer, the employee or the
13 department" and insert "the defendant, the plaintiff".
14 Page 5, between lines 39 and 40, begin a new paragraph and
15 insert:
16 "(d) In an action under this chapter where the court finds
17 against the plaintiff, the defendant shall be awarded reasonable
18 attorney's fees, expert witness fees if appropriate, and costs of the
19 action."
20 Page 5, line 40, delete "(d)" and insert "(e)".
21 Page 6, line 1, delete "(e)" and insert "(f)".
22 Page 6, between lines 2 and 3, begin a new paragraph and insert:
23 "SECTION 3. IC 22-9-8 IS ADDED TO THE INDIANA CODE
24 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
25 UPON PASSAGE]:
26 **Chapter 8. Goods and Services Production Quotas.**
27 **Sec. 1. The General Assembly finds that since market rate**
28 **wages are to be established for all employees in the state, there**
29 **exists a need to establish production quotas for all goods and**
30 **services produced and supplied by all employers in the state.**
31 **Sec. 2. As used in this chapter, "department" refers to the**
32 **department of labor.**
33 **Sec. 3. As used in this chapter, "employer" means a self-**
34 **employed individual, or person employing another person within**
35 **the state.**
36 **Sec. 4. As used in this chapter, "market rate" has the same**
37 **meaning set forth in IC 22-9-7-6.**
38 **Sec. 5. As used in this chapter, "person" has the same meaning**
39 **set forth in IC 22-9-7-7.**
40 **Sec. 6. As used in this chapter, "production quota" means all**
41 **goods and services produced or supplied by each employer in the**
42 **state.**
43 **Sec. 7. The department shall establish annual production**
44 **quotas for each employer.**
45 **Sec. 8. The department shall adopt rules under IC 4-22-2 to**
46 **implement this chapter. The rules must include specifications of**
47 **the criteria for establishing total production quotas for all**
48 **employers. The criteria must include:**
49 **(1) Whether each product or service currently produced or**
50 **supplied in the state is needed.**
51 **(2) Determination of the volume of goods and services that**

1 are needed in the following calendar year.
2 **(3) Determination of market rate wage hours each employer**
3 **must use to meet their individually assigned production**
4 **quotas.**
5 **The rules shall provide a time frame for implementation of total**
6 **production quotas, not to exceed one year.**
7 **Sec. 9. The department shall allocate individual production**
8 **quotas for each employer based on total production quotas for all**
9 **employers as established in accordance with section 8 of this**
10 **chapter. "**
11 Renumber all SECTIONS consecutively.
 (Reference is to HB 1487 as printed January 28, 1999.)

Representative SCHOLER